

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

THIS DOCUMENT RELATES TO ALL
ACTIONS

CLASS PLAINTIFFS' ASSENTED-TO REQUEST FOR RESCHEDULING OF
HEARING ON CLASS PLAINTIFF'S MOTION FOR CLASS CERTIFICATION
AS TO TRACK II DEFENDANTS

Class Plaintiffs and Track II Defendants hereby respectfully request that the Court re-schedule the hearing on Class Plaintiffs' Motion for Class Certification as to Track II Defendants, previously scheduled for July 20, 2006, to September 12, 2006, or such other date as the Court's schedule would permit. The motion is assented-to by the applicable Defendants.

In support thereof, the parties state that they have conferred and have agreed upon the proposed rescheduled date given the significant number of other major issues before the parties and counsel. Counsel for Plaintiffs have conferred with the Court's clerk to determine that the proposed September 12, 2006 is available on the Court's calendar, but recognize that any rescheduling is subject to the Court's availability and discretion.

DATED: July 12, 2006

By /s/ Thomas M. Sobol

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DATED: July 12, 2006

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BEHALF OF THE FOLLOWING TRACK II
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**ABBOTT LABORATORIES, AMGEN INC.,
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BAXTER HEALTHCARE CORP., BAXTER
INTERNATIONAL INC., BAYER
CORPORATION, DEY, INC., FUJISAWA
HEALTHCARE INCORPORATION,
FUJISAWA USA, INC., HOECHST
MARION ROUSSEL, INC., IMMUNEX
CORPORATION, PFIZER, INC.,
PHARMACIA CORP., PHARMACIA &
UPJOHN, SICOR, INC. F/K/A GENSLA,
INC., GENSLA SICOR
PHARMACEUTICALS, INC. SICOR
PHARMACEUTICALS, INC., WATSON
PHARMACEUTICALS, INC., AND ZLB
BEHRING L.L.C.**

CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE

Docket No. MDL 1456

I, Edward Notargiacomo, hereby certify that I am one of plaintiffs' attorneys and that, on July 12, 2006, I caused copies of **Class Plaintiffs' Assented-To Request For Rescheduling Of Hearing On Class Plaintiff's Motion For Class Certification As To Track II Defendants** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Edward Notargiacomo

Edward Notargiacomo